

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

**Affirmation in Support of
Application for Order of Continuance**

ANTHONY MURGIO,

15 Mag. 2508

Defendant.

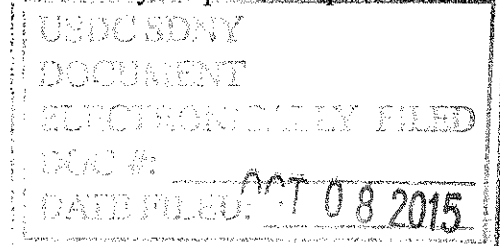
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State of New York)
County of New York : ss.:
Southern District of New York)

Eun Young Choi, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated July 17, 2015 with violations of 18 U.S.C. §§ 371, 1956, 1960, and 2, and 31 U.S.C. §§ 5318(g) and 5322(a). The defendant was arrested on July 21, 2015 in the Middle District of Florida, and was presented before a Magistrate Judge in that District that day, pursuant to Rule 5(c)(3), and ordered detained until certain conditions of release were satisfied. The defendant was released on or about July 24, 2015, after a cash bond of \$100,000 was posted. On August 10, 2015, the defendant was presented in this District before the Honorable James C. Francis, and ordered released on the following conditions: \$100,000 personal recognizance bond, to be signed by 2 financially responsible persons not



associated with Coin.mx (the unlicensed money transmittal business Murgio is charged with running), and secured by \$100,000 cash or his mother's Home; travel limited to Southern and Eastern Districts of New York (for court, meetings with counsel, and to seek employment) and to the Southern and Middle Districts of Florida (without restriction); surrender of all travel documents and no new applications; regular pretrial supervision; no employment by a money transmittal business; no communications with persons associated with Coin.mx; and the defendant to be released upon satisfaction of security. As the security was satisfied on August 10, 2015, the defendant has been at liberty on these conditions.


3. At the initial presentment, defense counsel for Murgio consented to a waiver of his client's pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within 30 days of the initial appearance. Accordingly, under the Speedy Trial Act the Government initially had until September 9, 2015 to file an indictment or information. On or about September 9, 2015, the Honorable Frank Maas, United States Magistrate Judge, granted a request for a continuance pursuant to 18 U.S.C. § 3161(h), until today to file an indictment or information.

4. Defense counsel and I have had discussions regarding a possible disposition of this case. The negotiations have not been completed and we plan to continue our discussions, but do not anticipate a resolution before the deadline under the Order of Continuance expires later today.

5. Therefore, the Government is requesting a 30-day continuance until November 9, 2015 to continue the foregoing discussions and reach a disposition of this matter. Defense counsel Gregory Kehoe consents to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendants in a speedy trial.

Dated: October 8, 2015
New York, New York


Eun Young Choi
Assistant United States Attorney
(212) 637-2187